



## FERC approves Task Force Request on July 27

Dear Neighbor,

**I have significant progress to report since I last wrote to you regarding the resolution of the Lake Tapps/White River issue. As you undoubtedly know, Puget Sound Energy had announced its concern about an inability to profitably operate its White River hydroelectric project. The new operating restrictions could have resulted in many negative impacts on the citizens who live in the Lake Tapps area. As your state representative, I wanted to update you on the status of a community-wide, collaborative partnership to resolve this problem.**

For the last few months, various citizens, ad hoc groups, and government officials have been holding public meetings in order to resolve the Lake Tapps matter. In particular, all stakeholders have actively participated in the Lake Tapps Task Force (including numerous homeowners' associations and other citizens' groups; county, state, and local officials; federal and state agencies; Indian Tribes; Puget Sound Energy representatives; and various sub-government agencies like school districts, and fire districts). We were able to put together (by the agreement of *all parties*) a motion to the Federal Energy Regulatory Commission (FERC) for a temporary stay of license re-issuance proceedings. I'm very pleased to announce that we have succeeded. On July 27, FERC approved our motion which will give the community ample time to work out a long-term, viable solution to this impending issue. This is a critical development, and it's unusual for a federal agency to move this quickly. FERC's swift action is a testament to the community and the task force speaking with one voice to meet a common objective.

Despite some lingering matters, we should feel good about what we've accomplished to this point. Significant credit ought to be given to the countless members of the Task Force who have actively participated in this extremely productive partnership. In particular, I would like to single out two individuals: Pierce County Executive Doug Sutherland has displayed the leadership and organizational skill that we've needed to get this project running and keep it on schedule. Pierce County Council Chair Jan Shabro has also provided critical leadership during this process. Clearly, this effort was not one mired in partisan politics. Quite the opposite, priority was given to problem-solving rather than partisan politics.

For example, when we experienced a major bump in the road, lawmakers of both parties were able to work together to solve a problem. When the state Fish & Wildlife Department announced at the June 24 Task Force meeting that they would rather litigate the matter in court than be part of the community effort to mediate with FERC to resolve the situation, Pierce County Executive Sutherland and I were able to work together to convince Gov. Locke's office to intervene. The result? A meeting was held in Olympia on June 28 with the director of Fish & Wildlife, Executive Sutherland, Council Member Shabro, a representative of the governor, and myself, after which the department reversed its position on litigating the matter and committed instead to joining the community-wide, collaborative process. By working together as a team and using all the resources available to us, we are able to stay with our original timetable of delivering the Task Force request to FERC on June 30.

### ■ The Next Step

The next step in finding and implementing a long-term solution has already been taken. The Task Force has hired two groups — *Agreement Dynamics* and *Research Strategic Group* — to facilitate the settlement process. These firms have specific experience working on Federal Energy Regulatory Commission re-licensure projects.

In addition, Puget Sound Energy announced on June 29 a donation of \$100,000 to begin paying for the expenses of the Task Force. PSE is also voluntarily increasing the amount of

unrestricted water for fish restoration at the cost of decreasing their own power generation capacity — thereby resulting in several hundred thousand dollars of decreased revenue. This voluntary step to comply with the requirements of the National Marine Fisheries Service and the Federal Fish & Wildlife Agency is a significant show of good faith and commitment to seeing this problem resolved to the benefit of all citizens living in the area.

■ **Where Do We Go From Here?**

As the Task Force proceeds, it is considering many viable proposals. Among those is an option to increase in-stream flows in the White River for fish restoration and to market a small portion of Puget Sound Energy’s water right as a water source to local communities. If this option is pursued, it would make it more feasible for PSE to maintain its operation at the White River hydroelectric power facility. Although there are questions and issues yet to be resolved on this and many other proposals, I’m confident that a satisfactory solution which fully protects the interests and property values of citizens in the Lake Tapps area will be found through this collaborative settlement process.

■ **Legislative Solutions**

Over the past few months, there have been discussions about possible legislative solutions to the statewide problem of power generation entities facing new restrictions on hydroelectric projects. We are not the only community facing this possibility. It’s important that we continue to discuss as a state how we might best address this emerging problem. On June 23, the Senate Judiciary Committee held a public hearing at Emerald Hills Elementary School. I attended this meeting in my capacity both as a Task Force member and also as Vice-Chair of the House Judiciary Committee.

The focus of this hearing was legislation that proposes to deal with statewide impacts of federal re-licensing of hydroelectric projects throughout Washington. Although I sponsored similar legislation in the House earlier this year, I don’t want to mislead anyone into believing that this is a magic solution to the Lake Tapps problem. As a matter of fact, these measures deal more with statewide issues and are not likely to lead to a direct resolution or a financial solution for the Lake Tapps problem specifically. Our situation will only be resolved through open and honest communication and the good faith efforts of all affected parties. I have every confidence that the Lake Tapps Task Force, with the participation of all agencies and citizen groups involved, will find an equitable solution.

As we move forward on this issue, I continue to attend meetings and hold discussions with the various entities involved and I will do all I can to see this is resolved in a matter that at least preserves the current status of the lake with little or any impact on local citizens. As always, I encourage you to contact me with your thoughts and concerns on the issue so I might best represent you in these discussions.

Best Regards,

Christopher Hurst  
31<sup>st</sup> District Representative

**If you would like to participate in these discussions, please contact  
any of the following groups or individuals:**

West Tapps Maintenance Club .....	(253) 891-2729
Tapps Island Association .....	(253) 862-6616
Snag Island Homeowners Association .....	(253) 862-4242
Driftwood Point Homeowners Association .....	(253) 862-6776
Inlet Island Homeowners Association .....	(253) 862-7767
Tacoma Point Homeowners Association .....	(253) 862-4191
Jan Shabro, Pierce County Council .....	(253) 798-3635
Doug Sutherland, Pierce County Executive .....	(253) 798-7477
Save Lake Tapps Coalition .....	(253) 862-8733